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On Jan 8, 2002

TOWNSEND and TOWNSEND and CREW LLP

By Camie Korman

PATENT  
Attorney Docket No.: 040006-000000US  
Client Ref. No.: 18003US CONT 1 (MG)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Philippe Monblanc et al.

Application No.: Not Yet Assigned

Filed:

For: DEVICE FOR HOLDING A SOLID  
IN A TUBE, AND TEST KIT USING  
SUCH A DEVICE

Examiner:

Art Unit:

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced application, please enter the following amendments and remarks.

IN THE CLAIMS

Please amend the claims as follows (all claims are set forth for convenient reference):

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- 1 1. (Amended) A holding device for holding a solid in a tube,  
2 comprising:  
3 a filter having an elastically deformable part transverse to a disc; and  
4 a spring pressing the elastically deformable part against the walls of the  
5 tube.
- 1 2. (Amended) A holding device according to claim 1, characterized  
2 in that the disc has transverse apertures.
- 1 3. (Amended) A holding device according to claim 1, characterized  
2 in that the part is in the form of a tube with a slit over part of its length.
- 1 4. (Amended) A holding device according to claim 1, characterized  
2 in that the part comprises two tabs.
- 1 5. (Amended) A test kit comprising:  
2 a tube;  
3 two holding devices according to claim 1; and  
4 a reactant between the ends of the holding devices of claim 1.
- 1 6. (Amended) The test kit according to claim 5, characterized in that  
2 the tube is made of glass.
- 1 7. (Amended) The test kit according to claim 5, characterized in that  
2 the reactant is in the form of granules.
- 1 8. (Amended) The test kit according to claim 7, characterized in that  
2 the discs have transverse apertures smaller than the size of the granules.
- 1 9. (Amended) The test kit according to claim 5, characterized in that  
2 a cap closes off the tube at each of its ends.

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1                   10.     (Amended) The test kit according to claim 5, characterized in that  
2     the diameter of the ends is at most equal to the inside diameter of the tube.

1                   11.     (Amended) A method of assembling a test kit according to claim  
2     5, comprising the steps of:  
3                   introducing the holding device of claim 1 into a tube;  
4                   introducing a reactant into the tube; and  
5                   introducing a second holding device into the tube.

1                   12.     (Amended) A method according to claim 11, characterized in that  
2     it furthermore includes the step of closing off the tube with a cap at each of its ends.

                  Please add new claims 13 and 14 as follows:

1                   13.     (New) A test kit comprising:  
2                   a tube;  
3                   two holding devices that each comprise a filter having an elastically  
4     deformable part transverse to a disc, and a spring pressing the elastically deformable part  
5     against the walls of the tube; and  
6                   a reactant between the ends of the holding devices

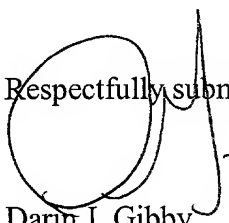
1                   14.     (New) A method of assembling a test kit, comprising the steps of:  
2                   providing a first holding device comprising a filter having an elastically  
3     deformable part transverse to a disc, and a spring pressing the elastically deformable part  
4     against the walls of the tube;  
5                   introducing the first holding device into a tube;  
6                   introducing a reactant into the tube; and  
7                   introducing a second holding device into the tube.

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REMARKS

Claims 1-12 have been amended to conform to U.S. practice. New claims 13 and 14 have been added. Examination of the claims, as amended, is respectfully requested.

Respectfully submitted,

  
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

1                    1.        (Amended) A holding [D]device for holding a solid in a tube [17],  
2        comprising:  
3                    a filter [10] having an elastically deformable part [13] transverse to a disc  
4        [11]; and  
5                    a spring [15] pressing the elastically deformable part [13] against the walls  
6        of the tube [17].

1                    2.        (Amended) A [H]holding device according to claim 1,  
2        characterized in that the disc [11] has transverse apertures.

1                    3.        (Amended) A [H]holding device according to claim 1[ or 2],  
2        characterized in that the part [13] is in the form of a tube with a slit [14] over part of its  
3        length.

1                    4.        (Amended) A [H]holding device according to claim 1[ or 2],  
2        characterized in that the part [13] comprises two tabs.

1                    5.        (Amended) A test kit comprising:  
2                    a tube [17];  
3                    two holding devices [8, 9] according to claim[s] 1[ to 4]; and  
4                    a reactant [30] between the ends [23, 23'] of the holding devices [8, 9]  
5        **[according to one of the preceding claims] of claim 1.**

1                    6.        (Amended) The test kit according to claim 5, characterized in that  
2        the tube [17] is made of glass.

1                    7.        (Amended) The test kit according to claim 5[ or 6], characterized  
2        in that the reactant [30] is in the form of granules.

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1                   8.       (Amended) The test kit according to claim 7, characterized in that  
2 the discs [11, 11'] have transverse apertures [12] smaller than the size of the granules.

1                   9.       (Amended) The test kit according to **[one of]** claim[s] 5[ to 8],  
2 characterized in that a cap [29, 31] closes off the tube [17] at each of its ends.

1                   10.      (Amended) The test **[means]** kit according to **[one of]** claim[s] 5[  
2 to 9], characterized in that the diameter of the ends [23, 23'] is at most equal to the inside  
3 diameter of the tube [17].

1                   11.      (Amended) A [M]method of assembling a test kit according to  
2 **[one of]** claim[s] 5[ to 10], comprising the steps of:  
3                   introducing **[a]** the holding device of claim 1 [8] **[according to one of**  
4 **claims 1 to 4]** into a tube [17];  
5                   introducing a reactant [30] into the tube [17]; and  
6                   introducing a second holding device [9] **[according to one of claims 1 to**  
7 **4]** into the tube [17].

1                   12.      (Amended) A [M]method according to claim 11, characterized in  
2 that it furthermore includes the step of closing off the tube [17] with a cap [29, 31] at  
3 each of its ends.

1                   13.      (New) A test kit comprising:  
2 a tube;  
3 two holding devices that each comprise a filter having an elastically  
4 deformable part transverse to a disc, and a spring pressing the elastically deformable part  
5 against the walls of the tube; and  
6 a reactant between the ends of the holding devices

1                   14.      (New) A method of assembling a test kit, comprising the steps of:

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- 2                    providing a first holding device comprising a filter having an elastically
- 3 deformable part transverse to a disc, and a spring pressing the elastically deformable part
- 4 against the walls of the tube;
- 5                    introducing the first holding device into a tube;
- 6                    introducing a reactant into the tube; and
- 7                    introducing a second holding device into the tube.

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